

HIGH POINT, NC

CRIMINAL PENALTY LISTING

The following table sets forth code sections and uncodified ordinance provisions, if any, that specifically impose a criminal penalty under or derived from G.S. 14-4(a) authority. This listing excludes provisions imposing only civil fines, the civil fine portion of provisions imposing civil and criminal fines, provisions imposing criminal fines derived from other (non-G.S. 14-4(a) related) statutory authority, and provisions providing that all other remedies and penalties are preserved. Penalties that may be derived from other publications adopted by reference are not included in this listing. See information at the end of this table regarding statutory and code penalties generally.

As used in this table, "ordinance violation" indicates that the cited code section makes certain acts or omissions unlawful but does not address penalties for violation, making violations subject to misdemeanor penalties under G.S. 14-4(a) and code section 1-1-8. "Per 1-1-8" means that general penalties are made applicable, but no specific penalty amount is provided.

CODE OF ORDINANCES

SEC.	DESCRIPTION	PENALTY
1-1-8	Unlawful to alter city code	Penalty as provided in 1-1-8
3-2-39	Willful violation of vehicle lease or rental tax provisions	Misdemeanor—\$50 per § 1-1-8
5-2-5	Unlawful for members to violate fire department rules and regulations	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-7	Interfering with firemen and fire apparatus	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-8	Unauthorized persons riding on trucks of fire department.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-33	Sale, installation, use, etc. of gas equipment without UL or AGA approval	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-41	Burning trash within fire limits prohibited	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-42	Burning trash outside fire limits	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-43	Bonfires restrictions and permit	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-44	Fire extinguishers required in certain locations	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-45	Sale, installation, etc. of unapproved fire extinguishers	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-46	Tampering with fire alarm system	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-47	Sale, lease, installation, use, etc. of telephone alarm systems	Misdemeanor—\$50 per § 1-1-8
5-2-48	False fire alarms	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8

SEC.	DESCRIPTION	PENALTY
5-2-49	Fire hydrants on private property to be used for fire protection purpose only	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-50	Use of public hydrants restricted	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-2-51	Delivery method for flammable and combustible liquids	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
5-3-5	Violations of Chapter 3, Emergency Management, or rules promulgated during declared emergency	Misdemeanor—\$50 fine, 30 days imprisonment, and punishable under G.S. ch. 166A.
6-1-1	Display of merchandise on streets and sidewalks	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-2	Distribution of handbills and commercial activity on streets and sidewalks	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-3	Obstruction of streets and sidewalks with boxes, crates, bricks, etc.; breaking glass	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-4	Impeding traffic on sidewalks.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-5	Location of awnings over streets and sidewalks	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-7	Cleaning sidewalks; snow, sleet or ice	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-9	Removal of sand, dirt, sod, etc., from unpaved streets prohibited	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-10	Hauling refuse; tracking mud	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-11	Obstructing flow of water or drainage in street prohibited	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-12	Construction of sidewalks without permit	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-13	Erection or suspension of signs across streets, etc., prohibited.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-14	Poles and guy wires—removal from trees; boxing	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-15	Oiling of streets	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-16	Operation of sidewalk café without permit	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-31	Digging in streets without a permit	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-34	Refilling of excavations, etc., required; failure to comply with section	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-35	Guard rails, signal lights, etc., required at excavations	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-36	Refusal to comply with supervision and inspection of excavation work by city	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-51	Barricades, permits and other protection of public required, etc.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8

SEC.	DESCRIPTION	PENALTY
6-1-52	Allowable use of public property during construction; obstruction of streets; allowing materials to enter sewer	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-53	Covered walkways where required	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-54	Temporary fence	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-55	Barricade	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-56	Construction of walkways, fences and protective coverings	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-57	Walkways over excavated areas	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-58	Storage of materials over walkways.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-59	Walkways to be kept in repair.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-60	Warnings lights required.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-61	Clearing of sidewalks and streets.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-72	Compliance with driveway/street construction regulations required	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-1-73	Permit required	Ordinance violation—\$50 per day
6-1-83	Failure to repair or improve nonconforming driveway, curb, etc.	Ordinance violation—\$50 per day
6-2-18	Violations of solid waste disposal and littering regulations	Misdemeanor—\$50 per § 1-1-8
6-3-3	Opening graves without authorization	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-3-4	Specifications for vaults, monuments and markers	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-3-5	Damaging cemetery property	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-3-6	Injuring or destroying cemetery vegetation	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-3-7	Excavating in cemeteries	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
6-3-8	Driving in cemeteries	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-1-11	Tampering with city meters, seals, etc.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-1-14	Supplying utility serve to another without authorization	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-23	Tampering with water fixtures	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-24	Trespassing on city facilities	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8

SEC.	DESCRIPTION	PENALTY
8-2-26	Unauthorized tap-on/use of city water outside corporate boundaries	Misdemeanor—\$50 per § 1-1-8
8-2-31	Breaking, etc., hydrants, meters, valves, boxes	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-36	Tampering with water mains, curb cocks, etc.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-54	Unlawful deposit of unsanitary wastes	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-65	Unlawful discharge of septic tank waste	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-2-68	Failure to connect to public sewer when required	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
8-3-10	Trespassing on city electrical facilities	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
9-2-106	Failure to obtain certificate of compliance with minimum housing code	\$50 per day or 30 days imprisonment, not to exceed total of \$500 per dwelling
9-2-113	Occupying dwelling placarded as unfit	Class 1 Misdemeanor
9-2-113	All other minimum housing code violations	Misdemeanor—\$50 per § 1-1-8
9-2-140	Insulation contractor registration, etc.	G.S. 160A-175 penalties—\$50 per § 1-1-8
9-2-65	Abandoned and junk vehicle violations	Misdemeanor—Fine up to \$500 or imprisonment for not more than 30 days.
9-2-201	Violation of abandoned structure code	Misdemeanor punishable under G.S. 14-4.
9-2-211	Violation of trash, debris, etc. code	Misdemeanor punishable under G.S. 14-4.
9-2-211	Failure to correction violation of trash, debris, etc. code	\$500.00 per day.
10-1-11	All violations of traffic chapter (but note that other code provisions provide lesser penalties for certain parking violations, etc.)	Misdemeanor—\$50 per § 1-1-8
11-1-1	Operating vending machine or amusement device without required identification	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
11-1-2	Operating dance hall or public dance without permit	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
11-2-4	Violation of taxicab regulations	Misdemeanor punishable under G.S. 14-4.
11-4-3	Pool/billiard room and bowling alley permit required	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
11-5-2	Peddler, solicitor, canvasser etc. permit required	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
11-6-11	Violations of massage establishment regulations	Misdemeanor punishable under G.S. 14-4.
11-7-19	Violations of sexual oriented business regulations	Misdemeanor—Fine of \$500 and unspecified term of imprisonment
12-1-1	Circuses, carnivals, shows, etc.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-2	Injuring property of city.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-3	Police animal protection.	Misdemeanor—Unspecified fine and term of imprisonment
12-1-4	Public consumption of beer, wine, ale or any alcoholic beverage.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8

SEC.	DESCRIPTION	PENALTY
12-1-5	Possession and discharge of firearms, weapons.	Misdemeanor—Fine of up to \$500, imprisonment for up to 30 days, or both.
12-1-6	Handicapped vehicle parking.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-7	Firearms or other weapons, display and discharge prohibited; exceptions.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-8	Smoking in theaters.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-9	Operation of motorcycles and minibikes.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-10	Offenses against public peace and order, alternative to civil penalties.	Class 3 Misdemeanor punishable under G.S. 14-4 by fine of up to \$500 and unspecified imprisonment.
12-1-11	Loitering for the purpose of engaging in drug-related activity.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-12	Removal of graffiti.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-1-13	Aggressive solicitation prohibited.	Misdemeanor—Fine of up to \$500
12-1-14	Urinating or defecating on any public place.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-4-2	Possession of drug paraphernalia.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-4-3	Manufacture or delivery of drug paraphernalia.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
12-4-4	Delivery of drug paraphernalia to a minor.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8

¹DEVELOPMENT CODE

5.15.5	Failure to install or maintain sustainable development practices.	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
9.5.5	Interference with city personnel or agent requesting entry for inspection	Ordinance violation—Misdemeanor subject to fine of \$50 per § 1-1-8
9.7.6	Willful violations of erosion and sedimentation control provisions	Misdemeanor—Fine of up to \$,5000, 90 days imprisonment or both

¹ The entire development code is subject to stated civil penalties for violation. The sections listed here are specifically stated as exceptions or appear to be exceptions to the general applicability of the civil penalty.

NOTES RE CITY'S GENERAL PENALTY AND RELATED STATUTES

City Code § 1-1-8 provides, in pertinent part: "In accordance with G.S. 160A-175, and unless this code of ordinances provides otherwise, violation of any provision shall be a misdemeanor as provided in G.S. 14-4, punishable upon conviction by a fine not exceeding \$50 or by imprisonment not exceeding 30 days. An ordinance may provide by express statement that the maximum fine or term of imprisonment to be imposed for its violation shall be some figure or number of days less than the maximum penalties prescribed by G.S. 14-4."

G.S. § 160A-175(b) provides: "Unless the Council shall otherwise provide, violation of a city ordinance is a misdemeanor or infraction as provided by G.S. 14-4. An ordinance may provide by express statement that the maximum fine, term of incarceration, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4."

G.S. § 14-4(a) provides, in pertinent part: "Any person [who] shall violate an ordinance ... shall be guilty of a Class 3 misdemeanor and shall be fined not more than \$500.00. No fine shall exceed \$50.00 unless the ordinance expressly states that the maximum fine is greater than \$50.00."

G.S. § 14-3 provides that the maximum punishment for a Class 3 misdemeanor is a fine of up to \$500.00 and incarceration of up to 30 days.